APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/616,330	07/15/2000	David Stanton	72949/0269498 0269498	8440

7590   07/16/2004

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EXAMINER
PHAN, TAM T

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
09/616,330</td><td>Applicant(s)
STANTON ET AL.</td></tr>
<tr><td>Examiner
Tam (Jenny) Phan</td><td>Art Unit
2144</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 May 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>13-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>13-20</u> is/are rejected.

7)☒ Claim(s) <u>13</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>15 July 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This application has been examined. Amendment A received on 05/14/2004 has been

entered. Claims 1-12 are cancelled. Claims 13-20 are presented for examination.

Election/Restrictions

2.   Applicant's election without traverse of Group II (claims 13-20) in Paper received on

05/14/2004 is acknowledged.

3.   Claims 1-12 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as

being drawn to a nonelected invention. Election was made **without** traverse in Paper received on

05/14/2004.

4.   Examiner is appreciative of the courtesy shown by Applicant in discussions of this

restriction requirement.

Priority

5.   No priority claims have been made.

6.   The effective filing date for the subject matter defined in the pending claims in this

application is 07/15/2000.

Drawings

7.   This application has been filed with informal drawings, which are acceptable for

examination purposes only. Formal drawings will be required when the application is allowed.

Claim Objections

8.   Claims 13objected to because of the following informalities: Claim 13 lines 11 and lines

14, "used by the another system" should read "used by another system". Appropriate correction

is required.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

10.   Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumar et

al. (U.S. Patent Number 6,542,515), hereinafter referred to as Kumar, in view of Box et al.

(Simple Object Access Protocol (SOAP) 1.1; May 2000).

11.   Kumar disclosed a messaging platform for a component-based software system, the

platform comprising: a connection assembler for at least one of creating, managing and

manipulating a first messaging platform connection; a protocol management framework for

implementation of a predetermined transport protocol over the first connection; a schema

generator for responsive to a request for service received over a second messaging platform

connection, creating a document according to a predetermined format, the document containing

information to be provided to another system over the first connection; and a translation

component for encoding a document in the predetermined format into a second encoded object

that can be understood and used by the another system, the second encoded object being encoded

according to an encoding protocol different from the default encoding protocol (Figures 2-3 and

7-8, column 4 lines 4-19, column 5 lines 33-38, column 7 line 43-column 8 line 15, column 9

line 4-24, column 11 line 29-51, column 14 lines 28-50, column 15 lines 21-35, column 17 line

62-17).

12.   Kumar taught the invention substantially as claimed. However, Kumar did not expressly teach an encoding component for converting a document in the predetermined format into a first encoded object that can be understood and used by another system, the first encoded object being encoded according to a default encoding protocol.

13.   Kumar suggested exploration of art and/or provided a reason to modify the messaging platform with the encoding component for converting a document in the predetermined format into a first encoded object that can be understood and used by the another system, the first encoded object being encoded according to a default encoding protocol (column 3 lines 53-63, column 7 lines 43-58, column 14 lines 28-50).

14.   Box disclosed an encoding component for converting a document in the predetermined format into a first encoded object that can be understood and used by another system, the first encoded object being encoded according to a default encoding protocol (Abstract, Section 1. Introduction, Section 3. Relation to XML, Section 5. SOAP Encoding, Section 6. Using SOAP in HTTP).

15.   It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the messaging platform of Kumar with the teachings of Box in order to exchange information in a decentralized, distributed environment (Box, Abstract) since default protocol such as SOAP defines a simple mechanism for expressing application semantics by providing a modular packaging model and encoding mechanisms for encoding data within modules (Box, Section 1. Introduction).

16.   Regarding claim 14, Kumar disclosed a platform wherein the information is provided by a service component; and the request for service is in a form not understandable by the service component (Abstract, column 14 lines 28-50, column 17 line 62-column 18 line 16).

17.   Regarding claim 15, Kumar and Box disclosed a platform wherein the service request is in a platform and application-independent format (Kumar, column 5 lines 33-38; Box; Abstract).

18.   Regarding claim 16, Kumar and Box disclosed a platform wherein the service request is in an Extensible Markup Language format (Kumar, Figures 7-8, column 7 lines 43-58, column 14 lines 28-50; Box, Section 1. Introduction, Section 3. Relation to XML).

19.   Regarding claim 17, Kumar disclosed a platform further comprising a lookup service for determining a service component to handle the service request (Abstract, Figures 2-3 and 7-8, column 4 lines 4-19, column 7 lines 43-58, column 15 lines 21-35).

20.   Regarding claim 18, Kumar disclosed a platform wherein the lookup service determines the service component to handle the service request based on information associated with the service component (Abstract, Figures 2-3 and 7-8, column 4 lines 4-19, column 7 lines 43-58, column 15 lines 21-35, column 17 line 62-column 18 line 16).

21.   Regarding claim 14, Kumar and Box disclosed a platform wherein the protocol management framework implements HTTP for transport (Kumar, column 14 lines 28-50, column 15 lines 21-35; Box, Abstract, Section 6. Using SOAP in HTTP).

22.   Regarding claim 14, Box disclosed a platform wherein the default protocol is SOAP (Abstract, Section 1. Introduction, Section 5. SOAP Encoding, Section 6. Using SOAP in HTTP).

23.   Since all the limitations of the claimed invention were disclosed by the combination of Kumar and Box, claims 13-20 are rejected.

Conclusion

24.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

    a.   Miller et al. (U.S. Patent Number 6,421,707) disclosed a wireless multimedia messaging communications method and apparatus that permits a subscriber to a wireless

telecommunications service to receive and generate multimedia messages from known wireless personal communications devices. A multimedia message may be received by the network and selectively delivered to a subscriber of the wireless service. Upon receipt of the message, the network determines an appropriate action to take with respect to the message based upon a profile of the subscriber. The subscriber is then notified by the network of the message and then delivers the message and any multimedia attachments to the message to the subscriber, according to a delivery indication sent by the subscriber to the network. Advantageously, the method allows for the conversion of messages as appropriate, i.e., text-to-speech, text-to-fax, provides gateways to varieties of multimedia information such as that found on the Internet and provides an active messaging format wherein message templates are stored on a mobile device that interprets the active messages thereby permitting a subscriber to quickly compose a message by supplying simple, dynamic components of the message.

b.   Brooke et al. (U.S. Patent Number 6,748,569) disclosed a method for generating XML documents using a script language that extends the capabilities of XML. A script processor processes the scripts and generates a content document and a style document. The content document specifies the content to be included in the XML document, and the style document specifies the style for displaying the content in the XML document. One set of program instructions transform the content document and the style document into an XML document. Another set of program instructions convert the XML document to an output document for a selected type of display.

25.   Refer to the enclosed PTO-892 for details and complete listing of other pertinent prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam (Jenny) Phan whose telephone number is (703) 305-4665. The examiner can normally be reached on M-F 9:00-5:00.
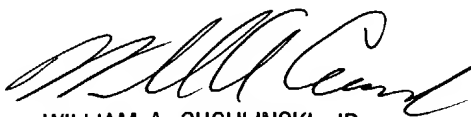
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on 703-308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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July 12, 2004

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